

SANDRA DUNNING; May 19, 2010

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PATTY BEALL, MATTHEW MAXWELL,)
TALINA McELHANY and KELLY)
HAMPTON, individually and on)
behalf of all other similarly) 2:08-cv-422 TJW
situated,)
Plaintiff(s),)
vs.)
TYLER TECHNOLOGIES, INC., and)
EDP ENTERPRISES, INC.,)
Defendant(s).)

DEPOSITION UPON ORAL EXAMINATION OF
SANDRA DUNNING

5:19 P.M.

MAY 19, 2010

520 PIKE STREET, 12TH FLOOR

SEATTLE, WASHINGTON



REPORTED BY: MARY L. GREEN, CCR 2981

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A P P E A R A N C E S

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I N D E X

EXAMINATION BY:

PAGE(S)

MS. PERLIONI

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MS. BAGLEY

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EXHIBITS FOR IDENTIFICATION

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1 2006 calendar

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2 2007 calendar

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3 2008 calendar

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4 2005 calendar

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5 Resume

11

6 Employment application

12

7 June 24, 2005, letter to Sandra S. Dunning
from Robert J. Sansone

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8 Diagram

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9 November 27, 2007 e-mail to Abigal

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Crenshaw and Liz Rensenbrink from Missy
Poole10 January 31, 2008, letter to Sandra Dunning
from Abigal Crenshaw

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<p>1 identification.)</p> <p>2 Q. (BY MS. PERLIONI) I'm going to hand you a</p> <p>3 document that I marked Deposition Exhibit 5. Can you</p> <p>4 take a look at that exhibit and tell me if you</p> <p>5 recognize it?</p> <p>6 A. That was the resume I gave to them.</p> <p>7 Q. When you say --</p> <p>8 A. To Tyler.</p> <p>9 Q. So Deposition Exhibit 5, does it appear to be</p> <p>10 a true and correct copy of the resume you submitted to</p> <p>11 Tyler Technologies when seeking employment?</p> <p>12 A. Yes.</p> <p>13 Q. And sitting here today looking at it, does the</p> <p>14 information you've included on Deposition Exhibit 5 --</p> <p>15 is it all true and accurate?</p> <p>16 A. Yes.</p> <p>17 (Deposition Exhibit 6 was marked for</p> <p>18 identification.)</p> <p>19 Q. (BY MS. PERLIONI) I'm going to hand you</p> <p>20 another document. This one I'm marking as Deposition</p> <p>21 Exhibit 6, and I would like you to take a look at</p> <p>22 Deposition Exhibit 6 and tell me if you recognize it.</p> <p>23 A. Yes, I do.</p> <p>24 Q. For the record, what is Deposition Exhibit 6?</p> <p>25 A. That was my employment application with Tyler.</p>	<p>1 A. Yes.</p> <p>2 Q. So as I understand it, you graduated from high</p> <p>3 school?</p> <p>4 A. Uh-huh.</p> <p>5 Q. And then went to the University of Cincinnati?</p> <p>6 A. Uh-huh. Yes.</p> <p>7 Q. And what was your major while you were at the</p> <p>8 University of Cincinnati?</p> <p>9 A. Well, I only had an Associate's degree, so it</p> <p>10 was in business.</p> <p>11 Q. So you actually graduated with the Associate's</p> <p>12 degree?</p> <p>13 A. Yes.</p> <p>14 Q. Have you gone back or had any additional</p> <p>15 schooling since graduating with your Associate's degree</p> <p>16 from the University of Cincinnati?</p> <p>17 A. I have not.</p> <p>18 Q. And do you have any certifications?</p> <p>19 A. No.</p> <p>20 (Deposition Exhibit 7 was marked for</p> <p>21 identification.)</p> <p>22 Q. (BY MS. PERLIONI) I'm going to hand you</p> <p>23 another document. This one I'm marking Deposition</p> <p>24 Exhibit 7, and I'd like you to take a look at</p> <p>25 Deposition Exhibit 7 and tell me if you recognize it.</p>
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<p>1 Q. I'd like to refer you to some numbers on the</p> <p>2 bottom right-hand corner of the -- do you see those</p> <p>3 down there on the exhibit where it says Tyler/Beall and</p> <p>4 there's some numbers following?</p> <p>5 A. Yes.</p> <p>6 Q. Just so you understand, those are Bates</p> <p>7 numbers that we use to identify pages, so at times if</p> <p>8 I'm asking you about an exhibit, I may say it's number</p> <p>9 1273. Those are the numbers I'm referring to, okay?</p> <p>10 A. Yes.</p> <p>11 Q. So looking at Deposition Exhibit 6, if you</p> <p>12 look at the second page, which is 1274, there's a</p> <p>13 signature there. Is that your signature?</p> <p>14 A. Yes, it is.</p> <p>15 Q. So you signed and dated the application for</p> <p>16 employment on June 19, 2005?</p> <p>17 A. Correct.</p> <p>18 Q. And, again, sitting here today looking back</p> <p>19 through it, do you believe all the information that you</p> <p>20 provided to Tyler Technologies in seeking employment is</p> <p>21 true and correct?</p> <p>22 A. Yes.</p> <p>23 Q. I want to look at again the second page of</p> <p>24 Deposition Exhibit 6, and it has your educational</p> <p>25 background listed.</p>	<p>1 A. (Reviewing). Yes.</p> <p>2 Q. For the record, what is Deposition Exhibit 7?</p> <p>3 A. It's their acceptance of my hire as I</p> <p>4 understand.</p> <p>5 Q. So it was a letter offering you employment</p> <p>6 with Tyler Technologies?</p> <p>7 A. Yes.</p> <p>8 Q. If you look in the first paragraph of</p> <p>9 Deposition Exhibit 7, it states in there that your</p> <p>10 salary expressed on an annual basis will be \$44,000 per</p> <p>11 year of work. Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. What was your understanding of that -- of what</p> <p>14 your salary was intended to cover? Were you salaried?</p> <p>15 Were you going to get any additional pay, or was that</p> <p>16 your full base pay?</p> <p>17 A. That was my full base pay.</p> <p>18 Q. Was it your understanding that you would</p> <p>19 receive 44,000 per year regardless of the amount of</p> <p>20 hours that you would be working?</p> <p>21 A. Well, they never -- I assumed a 40-hour week,</p> <p>22 and if there was a little overtime, a couple hours here</p> <p>23 or there, that didn't matter to me, but they never</p> <p>24 explained the travel involved and that I would be</p> <p>25 leaving on a Sunday night and/or coming home at 1 a.m.</p>

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<p>1 Saturday morning, so I would leave a client's site on</p> <p>2 Friday night and be unable to get home until 1 a.m. in</p> <p>3 the morning.</p> <p>4 MS. PERLIONI: I'm going to object to</p> <p>5 the answer as nonresponsive.</p> <p>6 Q. (BY MS. PERLIONI) What made you assume that</p> <p>7 you would only be working a 40-hour week?</p> <p>8 A. Because that's the way I had worked in the</p> <p>9 past.</p> <p>10 Q. So when you were initially employed with Tyler</p> <p>11 Technologies, did you ask anyone whether you would be</p> <p>12 working a 40-hour week?</p> <p>13 A. No.</p> <p>14 Q. Let's back up real quick, and I want to</p> <p>15 understand the sequence of events from the time that</p> <p>16 you initially submitted your application for employment</p> <p>17 and who you spoke with along the way.</p> <p>18 A. Okay.</p> <p>19 Q. So let's start with you submitted the</p> <p>20 application that we have marked -- I'm sorry. You</p> <p>21 submitted, I would assume, your resume that's marked</p> <p>22 Deposition Exhibit 5?</p> <p>23 A. Uh-huh.</p> <p>24 Q. And what prompted you to submit your resume to</p> <p>25 Tyler Technologies?</p>	<p>1 understand how to use their system after having been on</p> <p>2 one for a good number of years.</p> <p>3 Q. What do you mean by after having been on one</p> <p>4 for a good number of years?</p> <p>5 A. Well, typically the sites that Munis went into</p> <p>6 were sites where the clients had been on a governmental</p> <p>7 accounting system, some of them 15, 20 years. They</p> <p>8 didn't know anything other than their own system.</p> <p>9 Q. When you were the client going through the</p> <p>10 implementation, how many of your co-workers were being</p> <p>11 trained at the same time?</p> <p>12 A. It was the finance department, so we had</p> <p>13 accounts receivable, accounts payable, payroll, and we</p> <p>14 were -- our site really didn't want to go through a</p> <p>15 conversion. It was one of those.</p> <p>16 They just picked out the basic minimum modules</p> <p>17 that they wanted to use, and to me that was kind of</p> <p>18 discouraging, because the Munis product seemed to be a</p> <p>19 pretty good one and why not use it, and that was</p> <p>20 another reason I wanted to get out there and do more.</p> <p>21 Q. So you were in the finance department for did</p> <p>22 you say Metro Parks Tacoma?</p> <p>23 A. Correct.</p> <p>24 Q. And what type of -- I mean, is that -- I'm not</p> <p>25 from here. Is it city? County?</p>
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<p>1 A. I was working at Metro Parks Tacoma. They</p> <p>2 went on the Munis system, and I met Gail Reams-Cohen.</p> <p>3 I met Laurie Berger. I met a man named Alex. I can't</p> <p>4 recall his last name right now.</p> <p>5 So during that implementation period, I knew</p> <p>6 those people from being there and working with them</p> <p>7 on-site, and one day I went to lunch with Laurie Berger</p> <p>8 and I just said, I would like to do what you do. I</p> <p>9 would like to go out and teach people how to use the</p> <p>10 system. And she said, We have openings. Give me your</p> <p>11 information, and that's what I did.</p> <p>12 Q. So take me back. You were actually a user who</p> <p>13 is learning from a team who has come in to do an</p> <p>14 implementation; is that right?</p> <p>15 A. Yes.</p> <p>16 Q. Can you walk me through your experience as</p> <p>17 being a customer going through an implementation?</p> <p>18 A. Well, most people in government have been on</p> <p>19 their systems for a good number of years, say 20 years,</p> <p>20 and the idea of change is very difficult for them. I</p> <p>21 had been employed for 25 years with another company,</p> <p>22 saw government as stagnant and change as welcome, so I</p> <p>23 was the odd one.</p> <p>24 That's why after I saw the Munis team I wanted</p> <p>25 to do that job. I thought I could help other people</p>	<p>1 A. It's the only governmental entity in</p> <p>2 Washington state of its kind, so it's a very unique</p> <p>3 government facility.</p> <p>4 Q. What type of entity?</p> <p>5 A. Parks. Parks and recreation.</p> <p>6 Q. And it had purchased the certain modules?</p> <p>7 A. Uh-huh.</p> <p>8 Q. You mentioned accounts receivable, accounts</p> <p>9 payable, payroll.</p> <p>10 A. General ledger.</p> <p>11 Q. Any others that you recall?</p> <p>12 A. Fixed assets and purchase orders.</p> <p>13 Q. Was it your peers within the finance</p> <p>14 department who were not necessarily receptive to --</p> <p>15 A. Correct.</p> <p>16 Q. Was it beyond that or are those just the ones</p> <p>17 that you know about?</p> <p>18 A. Those are the ones I know about.</p> <p>19 Q. And approximately how many peers were you</p> <p>20 referring to?</p> <p>21 A. Well, there was one person for each of those</p> <p>22 areas, so there was one or two people for accounts</p> <p>23 receivable and general billing, there was one person</p> <p>24 for general ledger, one person for payroll, one person</p> <p>25 for fixed assets, and one person for accounts payable.</p>

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<p>1 in? Have you done this? Have you done that? That</p> <p>2 went on for a month. That was on my time. At 5:30 in</p> <p>3 the morning I'm up with Ferdy or some guy in some other</p> <p>4 country.</p> <p>5 Q. Ferdy, someone from Thailand?</p> <p>6 A. Ferdy Torres was in customer service. He's</p> <p>7 probably still there. He's really a good man. He's a</p> <p>8 kind, gentle person and amazingly knowledgeable as also</p> <p>9 is Mark Morrell.</p> <p>10 (Deposition Exhibit 9 was marked for</p> <p>11 identification.)</p> <p>12 (Recess taken.)</p> <p>13 Q. (BY MS. PERLIONI) Do you understand you're</p> <p>14 still under oath?</p> <p>15 A. Yes.</p> <p>16 Q. I would like to look at two of your calendars.</p> <p>17 I'm going to hand you Exhibit 1 and Exhibit 2, which is</p> <p>18 your 2006 and 2007 calendars, and I want to try to go</p> <p>19 through this and make it as quick as we can, but in</p> <p>20 flipping through your calendars -- and you were</p> <p>21 mentioning McKinney earlier.</p> <p>22 It just seemed like a good -- maybe looking</p> <p>23 through the calendars I could see multiple trips there</p> <p>24 where you had little acronyms, so I thought maybe that</p> <p>25 would be a good one we could walk through and you could</p>	<p>1 Q. That was your first initial meeting with</p> <p>2 McKinney?</p> <p>3 A. Yes.</p> <p>4 Q. What does that mean by work flow?</p> <p>5 A. Work flow was actually another word for</p> <p>6 business rules, so the electronic signature.</p> <p>7 Q. So looking the next week, is that -- for</p> <p>8 December 25, that HD, is that holiday?</p> <p>9 A. Yeah. Christmas.</p> <p>10 Q. Then the day after Christmas --</p> <p>11 A. 26th they gave me time at home to write the</p> <p>12 analysis, so I would have been at home writing the</p> <p>13 analysis from the week before, because when I was</p> <p>14 on-site, I used hand notes. I was writing, not like</p> <p>15 she is exactly, but I was writing.</p> <p>16 Then when I got home, what I had to do was do</p> <p>17 the screen shots of each of those areas from the</p> <p>18 system, and then in my laptop I would have to highlight</p> <p>19 the selections the client wanted. So it was not only a</p> <p>20 write-up. It was screen shots also.</p> <p>21 Q. So write-up and screen shots of the analysis</p> <p>22 from your prior --</p> <p>23 A. On the 26th, yeah.</p> <p>24 Q. When you worked at home, what were your</p> <p>25 typical hours from your home office?</p>
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<p>1 explain the acronyms. I notice it started in December</p> <p>2 or at least I think. That's the first one I see. If</p> <p>3 you look at December 18 of 2006.</p> <p>4 A. Yes.</p> <p>5 Q. Looking at December 18, it looks like -- you</p> <p>6 see where you have GL, BG, those letters?</p> <p>7 A. Uh-huh.</p> <p>8 Q. Can you just describe for me or explain for me</p> <p>9 what you're doing?</p> <p>10 A. I opened up the entire menu for each one of</p> <p>11 those modules, and then analysis is the word over there</p> <p>12 under McKinney. I had to do a write-up with the client</p> <p>13 site based on what they wanted to do, so it's how they</p> <p>14 were going to use the Munis software and the selections</p> <p>15 they would like to make in each of those modules.</p> <p>16 So I had to do the demo and then write a</p> <p>17 report given what they had told me. That analysis was</p> <p>18 used for other implementers or myself or the project</p> <p>19 managers so that they knew the choices the client</p> <p>20 wanted to make.</p> <p>21 Q. Would that have been an initial meeting?</p> <p>22 A. No, because initially Gail or someone would</p> <p>23 have been there to talk to the client site, and then</p> <p>24 the analysis would have followed after the initial</p> <p>25 meeting.</p>	<p>1 A. Usually an 8-hour day. However, in the case</p> <p>2 of the laptop malfunction or help or perhaps Mark back</p> <p>3 in Maine would have a Webex for training, I would be up</p> <p>4 early or late, so the idea was an 8-hour day, but it</p> <p>5 wasn't often an 8-hour day.</p> <p>6 Q. Let's keep going through. That was in</p> <p>7 December of 2006.</p> <p>8 A. Uh-huh.</p> <p>9 Q. Go to 2007.</p> <p>10 A. Okay.</p> <p>11 Q. If I'm reading your calendar correctly, you</p> <p>12 went back to McKinney on January 9.</p> <p>13 A. Yes.</p> <p>14 Q. And can you explain what your notations mean</p> <p>15 relating to this trip to McKinney?</p> <p>16 A. Okay. I did analysis, so on Tuesday I did</p> <p>17 analysis for fixed assets. I made my notes. I showed</p> <p>18 the client the screen. Then on Wednesday, it was</p> <p>19 inventory and treasury management, and, again, I would</p> <p>20 have reviewed those screens, opened up the menu, showed</p> <p>21 the client, and asked them how they planned to use it.</p> <p>22 Then on Thursday, we did accounts receivable and</p> <p>23 general billing.</p> <p>24 Then on Friday, that accounts receivable</p> <p>25 general billing testing, that was something new that we</p>

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<p>1 started doing as implementers. We had a series of</p> <p>2 tests to run through each of the modules to make sure</p> <p>3 that the software was functioning as it should before</p> <p>4 we actually had the client use it, and that was a good</p> <p>5 thing to do, because sometimes things happened during</p> <p>6 those installs, and if you were there with the client</p> <p>7 and it happened, it wasn't a good thing.</p> <p>8 So then I would take a scenario and I would go</p> <p>9 right through and process an accounts receivable</p> <p>10 invoice, and then I would actually record payment on</p> <p>11 it, and it was simple, but it just proved that the</p> <p>12 software was working for all of those.</p> <p>13 Q. It looks like you next went to McKinney</p> <p>14 January 30?</p> <p>15 A. Well, I've got sick on that one, and, again,</p> <p>16 we'd have to look to my expense report, because I would</p> <p>17 have turned in sick days on my expense report.</p> <p>18 Q. You're right. I read that wrong.</p> <p>19 A. Yeah. I had the flu.</p> <p>20 Q. So go to February of 2007.</p> <p>21 A. Yup.</p> <p>22 Q. February 28, is that your next trip to</p> <p>23 McKinney?</p> <p>24 A. Correct.</p> <p>25 Q. What do your notes show that you were doing --</p>	<p>1 A. Oh, okay. There was an Excel spreadsheet, and</p> <p>2 they could either hand key into that sheet and then</p> <p>3 send that off to Munis and Munis would load it in the</p> <p>4 system so that later on when I went there for future</p> <p>5 training, their new chart of accounts if they had</p> <p>6 changed any of the codes was in the Munis system, and</p> <p>7 then we could train and go forward using those new</p> <p>8 account codes.</p> <p>9 Q. And were this he -- was that something that</p> <p>10 differed amongst clients?</p> <p>11 A. Yes. I mean, there are always going to be</p> <p>12 balance sheet accounts, revenue accounts, expense</p> <p>13 accounts, et cetera. That's basic to all accounting.</p> <p>14 But for each client, it will be somewhat different</p> <p>15 based on their needs.</p> <p>16 Q. How they record different --</p> <p>17 A. Correct.</p> <p>18 MS. BAGLEY: Object to the form.</p> <p>19 Q. (BY MS. PERLIONI) For someone like me having</p> <p>20 no accounting background -- and I'm sorry if I'm asking</p> <p>21 -- it's a foreign language to me.</p> <p>22 A. Now you know why I was out there with clients</p> <p>23 holding their hands.</p> <p>24 Q. Yes. Very much so. But it seems to me like</p> <p>25 your accounting background is just so important being</p>
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<p>1 A. That was actually client training, so that was</p> <p>2 the chart of accounts --</p> <p>3 Q. I'm sorry. What is the chart of accounts? I</p> <p>4 haven't heard that before.</p> <p>5 A. Okay. In accounting, you have a numbering</p> <p>6 scheme that tells what you're paying, what department</p> <p>7 it's charged to, and -- well, it gets more detailed,</p> <p>8 but generally it's a department and it's an account</p> <p>9 code that describes the items.</p> <p>10 So it could be a maintenance item. It could</p> <p>11 be a service. It could be advertising. Every client</p> <p>12 set up their own chart of accounts based on the needs</p> <p>13 of a school district, or with the governments, those</p> <p>14 were more flexible, but with the school districts, they</p> <p>15 reported to the state, so they had certain codes they</p> <p>16 had to use.</p> <p>17 Q. Were you finished with that?</p> <p>18 A. Yes.</p> <p>19 Q. So that's the chart of accounts?</p> <p>20 A. Chart of accounts.</p> <p>21 Q. Why is that listed on February 28?</p> <p>22 A. Why was it on February 28? Because my manager</p> <p>23 set that schedule for me to follow.</p> <p>24 Q. But what is it that you were doing with the</p> <p>25 client relating to their chart of accounts?</p>	<p>1 able to go through and work these kinds of issues and</p> <p>2 train your clients on these kind of issues --</p> <p>3 A. It definitely helped.</p> <p>4 MS. BAGLEY: Object to the form.</p> <p>5 Q. (BY MS. PERLIONI) So what is the JE?</p> <p>6 A. Journal entry.</p> <p>7 Q. What is it that you're working with the client</p> <p>8 relating to journal entry?</p> <p>9 A. Teaching them how to do a journal entry in a</p> <p>10 computer system. A lot of them didn't know how to do</p> <p>11 that, so we would bring up that screen and show them</p> <p>12 how to fill in the required areas or the areas that</p> <p>13 they wanted to use.</p> <p>14 Some areas were required. You had to make an</p> <p>15 entry. Some areas were additional showing them how to</p> <p>16 use that journal entry and post it so it would impact</p> <p>17 their general ledger.</p> <p>18 Q. And what about I assume that's miscellaneous?</p> <p>19 A. Oh, gosh. That was just anything else that</p> <p>20 didn't get caught up.</p> <p>21 Q. What about it looks like the 1st of March? Is</p> <p>22 that still at McKinney?</p> <p>23 A. Yes. That's still at McKinney, and I didn't</p> <p>24 draw my arrow through there. Requisitions, purchase</p> <p>25 orders, accounts payable, and then anything auxiliary</p>

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<p>1 to requisitions.</p> <p>2 Q. What is it that you're doing with the client</p> <p>3 on that date?</p> <p>4 A. Again, I'm bringing up the screens, and</p> <p>5 typically you started out with the core users, the</p> <p>6 managers, and you showed them how to use it, and then</p> <p>7 as they were learning it and absorbing it, you went on</p> <p>8 and trained what you call the end user, so the actual</p> <p>9 person who would be keying in.</p> <p>10 Q. And Friday, the 2nd of March?</p> <p>11 A. Yeah. That one I did bid analysis and I did</p> <p>12 testing on that day.</p> <p>13 Q. What does that entail?</p> <p>14 A. The bid analysis was showing them the bidding</p> <p>15 and the requisition screen and how to do that, because</p> <p>16 most sites didn't use an automated system. They used</p> <p>17 Excel sheets.</p> <p>18 Q. So this was something completely new?</p> <p>19 A. To some of the sites, yes. Actually, to most</p> <p>20 of them. Not too many of them wanted to use the bid</p> <p>21 module. That was the clunky one.</p> <p>22 Q. What did testing there refer to?</p> <p>23 A. I can't tell you --</p> <p>24 Q. So let's --</p> <p>25 A. -- exactly what I tested.</p>	<p>1 A. I forgot Friday was a half a day and had to</p> <p>2 reschedule my departure, so I had thought Friday was a</p> <p>3 full day, and I had to get back home.</p> <p>4 Q. So you left Thursday?</p> <p>5 A. No. Instead of staying a full day on Friday,</p> <p>6 I stayed a half a day on Friday and --</p> <p>7 Q. You mean a half a day on Thursday?</p> <p>8 A. No. I stayed all day Thursday. I forgot that</p> <p>9 Friday was only a half a day when I made my</p> <p>10 arrangements with Dube. I told Dube it was a full day,</p> <p>11 so then I had to call and get an earlier flight as I</p> <p>12 could out of there.</p> <p>13 Q. So when is your next trip to McKinney?</p> <p>14 Looking down March 26, is that a McKinney Webex?</p> <p>15 A. Webex. And that was where from home I could</p> <p>16 log onto their computer, and then I could show them</p> <p>17 modules or train with them from home, but, again, I had</p> <p>18 to have customer service report signed by the client</p> <p>19 that I did that training with them.</p> <p>20 Q. Do you know what kind of Webex you were doing</p> <p>21 for them?</p> <p>22 A. It would have been training on the system or</p> <p>23 testing, something like that, and I didn't write it on</p> <p>24 here.</p> <p>25 Q. Let's go to April.</p>
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<p>1 Q. So it looks like you're back in McKinney March</p> <p>2 6?</p> <p>3 A. Yup. Fixed assets auxiliary, so those are</p> <p>4 those behind the screens that you set up that nobody</p> <p>5 sees once you're on the system, so it's background</p> <p>6 set-up screens.</p> <p>7 Q. Relating to their fixed assets?</p> <p>8 A. Correct.</p> <p>9 Q. And what about the auxiliary?</p> <p>10 A. That's what it is. Let me think on fixed</p> <p>11 assets what we had to put in. I'm not coming up with</p> <p>12 it fast enough. Sorry.</p> <p>13 Q. That's okay. And the next day, March 7?</p> <p>14 A. Yeah. Accounts receivable and general billing</p> <p>15 and then miscellaneous cash, and that's all part of</p> <p>16 recording your cash as revenue into your system.</p> <p>17 Q. And is this training the customer?</p> <p>18 A. That's training.</p> <p>19 Q. What about the 8th?</p> <p>20 A. We did budgets, transfers, and amendments to</p> <p>21 budgets, so when you're moving money from one pot to</p> <p>22 another so to say, they have their rules for that, and</p> <p>23 then again that transfer and amendment, it's a journal</p> <p>24 entry.</p> <p>25 Q. What is your note right below that?</p>	<p>1 A. Uh-huh.</p> <p>2 Q. Is that McKinney on April 10?</p> <p>3 A. Uh-huh. Now we're actually going to enter</p> <p>4 accounts payable invoices and generate checks to pay</p> <p>5 invoices.</p> <p>6 Q. Is this now live data?</p> <p>7 A. No. This is still training. This is still</p> <p>8 training. Usually for us what I saw was it took six</p> <p>9 months to bring a client from building their chart of</p> <p>10 accounts, training their core users and then their end</p> <p>11 users, and getting them live. It was six months.</p> <p>12 Q. April 11.</p> <p>13 A. Uh-huh. Reqs to POs to AP to payment. So we</p> <p>14 entered a req, converted it to a PO. We actually paid</p> <p>15 against the purchase order, and then we made checks.</p> <p>16 Q. And this is still training of how to do</p> <p>17 those --</p> <p>18 A. Still training.</p> <p>19 Q. Let's just go real quick. It looks like April</p> <p>20 18 you're back at McKinney.</p> <p>21 A. Correct.</p> <p>22 Q. What about April 24? I'm not sure.</p> <p>23 A. Oh, that was McKinney documentation. McKinney</p> <p>24 wanted us to write user manuals, and that's what I did,</p> <p>25 so I wrote the user manual. It was a good one.</p>

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23 (Pages 80 to 83)

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<p>1 Q. I bet it was. Was this something you created</p> <p>2 from scratch?</p> <p>3 A. Yes. So they hired us -- me to do the screen</p> <p>4 shots and step by step explain what the end user was</p> <p>5 going to do for his particular job with screen shots</p> <p>6 and one, two, three directions.</p> <p>7 Q. How big a manual was that?</p> <p>8 A. It was a full three-ring one-inch binder.</p> <p>9 McKinney was a big school.</p> <p>10 Q. I'm familiar with McKinney. I'm from Dallas.</p> <p>11 A. Oh.</p> <p>12 Q. So tell me: Was this the first time that you</p> <p>13 had created a user manual?</p> <p>14 A. Oh, no. I did it in my prior jobs at Smurfit</p> <p>15 and at Metro Parks. Let's see. So for a client to be</p> <p>16 hired to write a manual, that was the first time I did</p> <p>17 that for Munis, because most of the other client sites</p> <p>18 didn't have the personnel, didn't want to pay the</p> <p>19 money.</p> <p>20 McKinney had a consultant there, so Pete</p> <p>21 McKinsey was the consultant, and he sat in all the</p> <p>22 training, and he helped the client decide how they were</p> <p>23 going to use the system.</p> <p>24 Q. When you say a consultant, was he someone</p> <p>25 with --</p>	<p>1 MS. PERLIONI: I think it's just in the</p> <p>2 copying.</p> <p>3 MS. BAGLEY: Oh, it's April, because</p> <p>4 June is up at the top in small --</p> <p>5 THE WITNESS: May, June, July. Where</p> <p>6 are we? Okay. May is the month.</p> <p>7 Q. (BY MS. PERLIONI) I'm just wondering what May</p> <p>8 24 to 25 means.</p> <p>9 A. Oh, that was that stress testing. That was</p> <p>10 what they called what we were doing with a client to</p> <p>11 test data in the system to make sure it worked</p> <p>12 properly, and then we did that in front of the client,</p> <p>13 and that was to be done before they Go Live.</p> <p>14 So it was an extra piece to ensure that they</p> <p>15 had seen the system work, they were okay with what they</p> <p>16 were seeing, and it just ensured, then, that they were</p> <p>17 getting it before they went live, and that was</p> <p>18 something new that they started doing, and that was</p> <p>19 another good thing to do before a client went live.</p> <p>20 Q. I'm looking at what I think to be June 12.</p> <p>21 A. Okay.</p> <p>22 Q. What is that?</p> <p>23 A. Oh, that was where I had to train the</p> <p>24 secretaries when I was there, so, again, they hired us</p> <p>25 to do their user training. Some of the sites wanted to</p>
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<p>1 A. He was someone hired totally different, not</p> <p>2 Munis. He was an outside consultant. Hillsboro,</p> <p>3 Oregon, also had an outside consultant. They could</p> <p>4 afford to do that.</p> <p>5 Q. So after you wrote this user manual for</p> <p>6 McKinney, did you utilize that with other customers?</p> <p>7 A. No.</p> <p>8 Q. It was exclusive for McKinney?</p> <p>9 A. It was special for McKinney and what they did.</p> <p>10 Q. Can you turn to it looks like it's the second</p> <p>11 side of June, June 24? What is that June 24 through</p> <p>12 June 25?</p> <p>13 A. Munis was down. Something happened back in</p> <p>14 Maine. They weren't available, so for some reason,</p> <p>15 Munis had a problem, and I couldn't get them for</p> <p>16 whatever reason I wanted to.</p> <p>17 MS. BAGLEY: Are we on the same page?</p> <p>18 THE WITNESS: June over on the side that</p> <p>19 looked like that. Munis was down.</p> <p>20 MS. BAGLEY: That's July.</p> <p>21 THE WITNESS: Oh, I'm sorry. No. Wait.</p> <p>22 This is June. Here's June, June.</p> <p>23 MS. BAGLEY: What does your June 24 say?</p> <p>24 MS. PERLIONI: Stress EOM.</p> <p>25 MS. BAGLEY: That's what mine says.</p>	<p>1 train their own people. Some of them were small. They</p> <p>2 just had the person there because that was the</p> <p>3 training. But McKinney was huge, so they hired us to</p> <p>4 come in and do the secretary training.</p> <p>5 Q. What kind of training -- what was your</p> <p>6 methodology for training the secretaries?</p> <p>7 A. It was pretty much the same thing all the way</p> <p>8 through, the same drill, open the screen up, explain --</p> <p>9 now, the thing with secretary training, that was going</p> <p>10 to be very limited because their piece of it was small,</p> <p>11 so they weren't going to see general ledger and they</p> <p>12 may see AR and they may see AP and they may see reqs,</p> <p>13 because that's their little piece of it, so they</p> <p>14 wouldn't see the general ledger, so that menu got</p> <p>15 narrowed down for them, and then to go through the</p> <p>16 steps in their work process with them, and that was</p> <p>17 using that manual.</p> <p>18 Q. The one that you created?</p> <p>19 A. Uh-huh.</p> <p>20 Q. And then what about the 19th?</p> <p>21 A. Yeah. Same thing again, more training the</p> <p>22 personnel -- Dena was one of them -- and working on</p> <p>23 that manual.</p> <p>24 Q. What about the 26th, 27th?</p> <p>25 A. Pre-live. System administration. So that was</p>

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<p>1 you're going to know it all, and, again, it's</p> <p>2 repetition. It's seeing it on a daily basis and you</p> <p>3 get used to it, and then it's not that bad.</p> <p>4 Q. How long did it take you to start where you</p> <p>5 were beginning to feel comfortable with understanding</p> <p>6 the different software options?</p> <p>7 A. I had an accounting background from where I</p> <p>8 had worked. I had always been in the finance</p> <p>9 department or the accounting manager, so I knew the</p> <p>10 accounting part of it.</p> <p>11 For me it was just looking at a huge world of</p> <p>12 menu and then remembering, because we were not allowed</p> <p>13 to use notes in front of the client, so it was a matter</p> <p>14 of remembering these when you pull them up what you</p> <p>15 were going to explain to the client.</p> <p>16 Q. So were there times where, you know, if you</p> <p>17 select one option, it has an impact on another option</p> <p>18 or another module or what have you?</p> <p>19 A. Yes.</p> <p>20 Q. And how do you learn that?</p> <p>21 A. Trial and error and repetition.</p> <p>22 Q. And those were the kind of things you have to</p> <p>23 know to be able to explain to your customers?</p> <p>24 A. Correct.</p> <p>25 Q. May I see your --</p>	<p>1 impacted it if you had not had an accounting</p> <p>2 background?</p> <p>3 A. Well, they did hire a couple of people who had</p> <p>4 no accounting background. They really didn't cut it,</p> <p>5 and there were two of them where after hours we would</p> <p>6 help them understand a balance sheet and we would work</p> <p>7 with them so they knew a balance sheet so when they</p> <p>8 pulled their GL and there were different options to</p> <p>9 making a balance sheet as to what you wanted included</p> <p>10 or not, those girls would understand what a balance</p> <p>11 sheet is or a financial statement, a P&L.</p> <p>12 They didn't know that, so then that's where</p> <p>13 after hours we would help each other so that they can</p> <p>14 be proficient at what they were doing. I mean, you</p> <p>15 really didn't want somebody to fail.</p> <p>16 Q. Did they ever become proficient at --</p> <p>17 A. Two of them are still there and they're really</p> <p>18 good, yeah.</p> <p>19 Q. And that's after learning and working with</p> <p>20 people to help understand the accounting behind it?</p> <p>21 A. Uh-huh.</p> <p>22 Q. I want to go back to make sure I understand.</p> <p>23 You were in Maine for a week.</p> <p>24 A. Uh-huh.</p> <p>25 Q. Then the next week or two you were practicing</p>
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<p>1 A. It's not in detail, and, again, the gist of</p> <p>2 it, though, was each of those then kept expanding as</p> <p>3 you clicked on, and eventually, you know, there were no</p> <p>4 more places to go within that menu system.</p> <p>5 Q. I marked it Deposition Exhibit 8, but from</p> <p>6 what I'm understanding, this is very basic, not even</p> <p>7 close, right?</p> <p>8 A. That's not even close.</p> <p>9 (Deposition Exhibit 8 was marked for</p> <p>10 identification.)</p> <p>11 MR. MOORE: You can't remember the</p> <p>12 hundreds of options to choose from?</p> <p>13 THE WITNESS: Do you really want me to</p> <p>14 explain why? My poor husband has been sick for two</p> <p>15 years. Don't go there. And I'm surprised that I have</p> <p>16 forgotten it.</p> <p>17 MS. BAGLEY: I was amazed you remembered</p> <p>18 all of the financial package. I was impressed.</p> <p>19 THE WITNESS: Really? I'm ashamed that</p> <p>20 it's that poor.</p> <p>21 Q. (BY MS. PERLIONI) As you were describing that,</p> <p>22 you mentioned a second ago about having the accounting</p> <p>23 background.</p> <p>24 A. Uh-huh.</p> <p>25 Q. What do you think or how would it have</p>	<p>1 what you learned in Maine using the software, using the</p> <p>2 computer, that kind of thing?</p> <p>3 A. Uh-huh.</p> <p>4 Q. And then what happened next in your training?</p> <p>5 A. Then it was the trip to California with Gail,</p> <p>6 and then after that I did the shadowing Johanna was</p> <p>7 first and then Jonathan was second, and then after we</p> <p>8 had completed so much training and we had shadowed, we</p> <p>9 were what you call billable. We were out on our own,</p> <p>10 and that probably would have been January I was</p> <p>11 billable.</p> <p>12 Q. So you started in June of 2005.</p> <p>13 A. No. I started with Munis September 19. They</p> <p>14 were good enough to wait for me because I worked at</p> <p>15 Metro Parks and I was within a few months of my five</p> <p>16 years and being vested, and they were very good. They</p> <p>17 waited for me.</p> <p>18 Q. So then September --</p> <p>19 A. 19 was my official hire date.</p> <p>20 Q. So September 19 you started all of the</p> <p>21 training you just discussed and ultimately became</p> <p>22 billable in January of 2006?</p> <p>23 A. Uh-huh. And if we look at the January</p> <p>24 calendar for 2006, then I should have been at a</p> <p>25 client's site, Lakewood, Palmdale, or Tucson, Arizona,</p>

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<p>1 was Catalina Foothills. One of those three. Those</p> <p>2 were the three I started out with.</p> <p>3 Q. Tell me why -- why do you think it takes four</p> <p>4 full months before you're ultimately able to go out and</p> <p>5 be billable and on your own with a client?</p> <p>6 A. Because it's learning all of those screens,</p> <p>7 knowing the options, and I was told not to have notes</p> <p>8 in front of a client, so you had to remember where you</p> <p>9 were going in that menu and know that with no notes.</p> <p>10 Q. And I guess you can't really anticipate the</p> <p>11 types of questions the customer is going to ask.</p> <p>12 A. Exactly, or their crankiness.</p> <p>13 Q. So you really have to be prepared for</p> <p>14 anything, right?</p> <p>15 A. Pretty much.</p> <p>16 MS. BAGLEY: Object to the form. You</p> <p>17 can answer.</p> <p>18 THE WITNESS: I can answer.</p> <p>19 A. Yes.</p> <p>20 Q. (BY MS. PERLIONI) She'll object to the form if</p> <p>21 she doesn't like my question, but that's just for the</p> <p>22 record.</p> <p>23 MS. BAGLEY: I'll object if it's</p> <p>24 objectionable.</p> <p>25 Q. (BY MS. PERLIONI) So I want to go back,</p>	<p>1 professional people come on-site, and I liked what I</p> <p>2 saw, and I thought the software was pretty good</p> <p>3 software.</p> <p>4 Q. Do you recall anything else about your</p> <p>5 discussions with Ms. Berger?</p> <p>6 A. No. Other than my just jumping out there and</p> <p>7 saying, gee, I'd like to do what you do and she says,</p> <p>8 oh, boy, fine, we didn't talk about anything else.</p> <p>9 Q. Did she mention the travel expectations?</p> <p>10 A. No. That was never part of our conversation.</p> <p>11 Q. Did she talk to you at all about the salary or</p> <p>12 compensation?</p> <p>13 A. No. I had no idea what the salary would be.</p> <p>14 Q. You said next you had a call from Jen Snow?</p> <p>15 A. Uh-huh.</p> <p>16 Q. What do you recall from your phone</p> <p>17 conversation with Ms. Snow?</p> <p>18 A. She was interested in pretty much what you've</p> <p>19 asked me about, my background, was I willing to travel?</p> <p>20 I said, yes, I was. That was it. She explained it was</p> <p>21 a travel job. She explained I would be doing</p> <p>22 financials, and it wasn't that long a phone call I had</p> <p>23 with her.</p> <p>24 Q. When you say she explained it was a travel</p> <p>25 job, did she give you any kind of estimate on how much</p>
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<p>1 because actually I think we got a little sidetracked,</p> <p>2 and this is great. This has been very helpful</p> <p>3 information, but I wanted to -- we were going to talk</p> <p>4 about the sequence of events from submitting your</p> <p>5 resume and then ultimately when you got hired, so we</p> <p>6 started talking about having been -- you having been a</p> <p>7 customer and gone through an implementation, and as I</p> <p>8 understand it, you spoke with Laurie Berger --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- about it and she asked you to submit your</p> <p>11 resume?</p> <p>12 A. Correct.</p> <p>13 Q. And you did so?</p> <p>14 A. Uh-huh. Yes.</p> <p>15 Q. What happens next?</p> <p>16 A. I had a call from Jen Snow at that time. Her</p> <p>17 name is now Jen Wahlbrink. I spoke with Jen on the</p> <p>18 phone, and then I had a call from Liz back in Maine.</p> <p>19 Long name. I can't remember it. Then I had a</p> <p>20 confirmation call that they would wait for me.</p> <p>21 Q. When you initially spoke with Ms. Berger, did</p> <p>22 you have discussions about what the position entailed</p> <p>23 or, you know, any discussions about working for Tyler</p> <p>24 Technologies?</p> <p>25 A. Laurie said Tyler was a good company. I saw</p>	<p>1 you would be traveling?</p> <p>2 A. Weekly to client sites on the west coast.</p> <p>3 That was it.</p> <p>4 Q. Did she say you would not be traveling to</p> <p>5 clients except those on the west coast?</p> <p>6 A. At that time, it was west coast. Later on it</p> <p>7 grew to more, and that was sometime after I was hired,</p> <p>8 so when I was hired, west coast.</p> <p>9 Q. And is that -- when you say west coast, is</p> <p>10 that where the clients were at that period of time?</p> <p>11 A. Yes.</p> <p>12 Q. So the company grew?</p> <p>13 A. The company grew, yeah.</p> <p>14 Q. Anything else you can recall from your</p> <p>15 conversation with Ms. Snow?</p> <p>16 A. No. I never -- you didn't have long</p> <p>17 conversations with Jen. At least I didn't. I should</p> <p>18 say I.</p> <p>19 Q. Do you know what position Ms. Snow was in?</p> <p>20 A. She was Gail Reams-Cohen's supervisor.</p> <p>21 Q. And then you said --</p> <p>22 A. She was over all the project managers, however</p> <p>23 many -- there weren't that many then.</p> <p>24 Q. So you said the next person you spoke with was</p> <p>25 someone named Liz last name unknown.</p>